

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

STEPHEN THAXTON and PATRICIA
THAXTON, individually and on behalf of
others similarly situated,

Plaintiffs,

v.

COLLINS ASSET GROUP, LLC, et. al

Defendants.

Case No.: 1:20-CV-00941-ELR

JOINT MOTION TO REOPEN CASE

Plaintiffs Stephen Thaxton, Patricia Thaxton and Defendant Collins Asset Group, LLC file this motion and further state as follows:

1. As the Court is aware, the parties have been engaged in settlement discussions over the last two months and reached a class action settlement in principle. In the coming days, the parties anticipate filing a motion for preliminary approval and other relevant documents related to the proposed settlement.

2. Also pending before this Court is the related interpleader action, *Collins Asset Group, LLC v. Diversified Financing, LLC, et al.*, Case No. 1:20-CV-02818-

ELR (“Interpleader Action”), which names most of the investors who are also putative class members in this Thaxton class action case.

3. On November 4, 2020, Collins Asset Group filed a notice in the Interpleader Action informing the Court of the class action settlement and requesting the Court to extend the stay in the Interpleader Action.

4. Earlier today, the Court entered Orders in this case as well as the related Interpleader Action administratively closing both cases. In each Order, however, the Court noted that “administrative closure will not prejudice the rights of any party to this litigation. A party need only file a motion to reopen the case if they so choose.”

5. The parties hereby request that this Court reopen this case so that the parties can file the documents related to the proposed class settlement in the coming days, including but not limited to the motion for preliminary approval and other related pleadings.

6. The parties also request that this Court reopen the Interpleader Action and stay that case pending final approval of the class action settlement as the settlement requires certain actions in the Interpleader Action.

Respectfully submitted this 5th day of November 2020.

/s/Jason R. Doss
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Stephen and Patricia Thaxton

CERTIFICATE OF COUNSEL REGARDING FONT SIZE

Counsel certifies that the foregoing has been prepared using Times New Roman font size 14 in accordance with Local Rules 5.1(B)(3) and 7.1(D).

This 5th day of November 2020.

s/ Jason R. Doss
Jason R. Doss

CERTIFICATE OF SERVICE

I hereby certify that on this 5th day of November 2020, a copy of the foregoing has been filed with the Clerk of Court and served upon all parties and counsel of record using the CM/ECF system.

s/ Jason R. Doss
Jason R. Doss
Georgia Bar No. 227117